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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/560,791	12/15/2005	Anders Angelhag	9564-8	3015
20792	7590	10/18/2007		
MYERS BIGEL SIBLEY & SAJOVEC			EXAMINER	
PO BOX 37428			BRANDT, CHRISTOPHER M	
RALEIGH, NC 27627			ART UNIT	PAPER NUMBER
			2617	
			MAIL DATE	DELIVERY MODE
			10/18/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/560,791

**Applicant(s)**

ANGELHAG, ANDERS

**Examiner**

Christopher M. Brandt

**Art Unit**

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 47-86 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 47-86 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 October 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 13, 2007 has been entered.

### ***Response to Amendment***

This Action is in response to applicant's amendment filed on August 13, 2007. **Claims 47-86** are currently pending in the present application.

### ***Response to Arguments***

Applicant's arguments filed on August 13, 2007 have been fully considered but they are not persuasive. After carefully reading the newly added claims, the examiner notes that these claims do not distinguish over the prior art of record. The examiner further notes that on page 5 lines 27-37, although not claimed, contains material that appears to distinguish over the prior art of record.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 47-86 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not

described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Independent claims 47, 66, 67, and 86 (and their dependencies) recite a "selection device", which after the examiner carefully read and reviewed the specification could not find a "selection device" and its meaning in the specification. If the applicants disagree, the examiner respectfully requests the applicants to direct the examiner to the passage describing a "selection device" and its meaning.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

**Claims 47-86** are rejected under 35 USC 103(a) as being unpatentable over X in view of

X.

Consider **claim 47 (and similarly applied to claims 66, 67, and 86)**. X discloses a method of connecting a plurality of devices to a common accessory, comprising:

receiving a first selection signal, at the common accessory from a selection device remote from the common accessory, configured to give a clear indication that a device is specifically associated with one of the plurality of devices on the common accessory such that the clear indication is observable by a user of the common accessory and the one of the plurality of devices (paragraphs 11, 46, read as receiving a request for access to a wireless hands-free gateway from one of the plurality of wireless phones. In addition, Cannon discloses a clear indication to be presented to the wireless multi-user hands-free unit of which in-range user is the driver)); and

establishing a connection between the one of the plurality of devices and the common accessory responsive to the first selection signal based on clear indication (paragraph 10, read as a wireless hands-free device comprises a piconet front end adapted to establish an audio path with a wireless phone over a piconet network, and a speakerphone functionality module).

Cannon discloses the claimed invention but fails to explicitly teach to highlight a first output indicia.

However, Diaz discloses highlighting a first output indicia (abstract, column 3 lines 16-31, read as a first color and a second color turned on in response to different connections).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the teachings of Diaz into the invention of Cannon in order to enable the user to confirm whether a connection has been completely established upon operation (Diaz; column 3 lines 6-12).

Consider **claim 48 and as applied to claim 47**. Cannon and Diaz disclose receiving an input change signal, at the common accessory from the selection device remote from the common accessory, configured to highlight a second output indicia different from the first output indicia, that is specifically associated with a second one of the plurality of devices on the common accessory such that the highlighted second output indicia is observable by a user of the common accessory and the second one of the plurality of devices; and establishing a connection between the second one of the plurality of devices and the common accessory responsive to the received input change signal based on the highlighted second output indicia (Cannon; paragraphs 33, 37, 40, 46, Diaz; column 3 lines 16-31).

Consider **claim 49 and as applied to claim 47**. Cannon and Diaz disclose wherein the selection device is remote from the common accessory and the one of the plurality of devices (Cannon; paragraph 31).

Consider **claim 50 and as applied to claim 47**. Cannon and Diaz disclose wherein the selection device is remote from the common accessory and integrated with the one of the plurality of devices (paragraph 31).

Consider **claim 51 and as applied to claim 47**. Cannon and Diaz disclose storing an identity of the one of the plurality of devices with connection parameters for the one of the plurality of devices and with control data for outputting the first output indicia of the one of the plurality of devices (Cannon; paragraphs 40, 46).

Consider **claim 52 and as applied to claim 47**. Cannon and Diaz disclose reconnecting the one of the plurality of devices to the common accessory after the established connection has been interrupted, wherein reconnecting comprises reconnecting the one of the plurality of

devices based on a predetermined order of priority (Cannon; paragraphs 33, 37, 40, 46, Diaz; column 3 lines 16-31).

Consider **claim 53 and as applied to claim 47**. Cannon and Diaz disclose wherein the first output indicia associated with the one of the plurality of devices to be highlighted at the common accessory is stored in the one of the plurality of devices and communicated to the common accessory (Cannon; paragraphs 40, 46, Diaz; column 3 lines 16-31).

Consider **claim 54 and as applied to claim 47**. Cannon and Diaz disclose storing a predetermined order of priority for each of the plurality of devices for establishing connections to the common accessory (Cannon; paragraphs 33, 37).

Consider **claim 63 and as applied to claim 47**. The combination of Cannon and Diaz disclose wherein the first output indicia associated with the one of the plurality of devices is selectable responsive to a predetermined sequence of input control signals.

Consider **claim 64 and as applied to claim 47**. Cannon and Diaz disclose wherein the first output indicia is coloured light (R,G,B,Y) (Diaz, column 3 lines 16-31).

Consider **claim 65 and as applied to claim 64**. Cannon and Diaz disclose wherein the coloured light (R,G,B,Y) is provided by means of a light emitting diode (LED) (Diaz, abstract, column 3 lines 16-31).

Consider **claim 68 and as applied to claim 67**. Cannon and Diaz disclose wherein the common accessory is further configured to: receive an input change signal from the selection device remote from the common accessory, the received input change signal being configured to highlight a second output indicia, different from the first output indicia, that is specifically associated with a second one of the plurality of devices on the common accessory such that the

highlighted second output indicia is observable by a user of the common accessory and the second one of the plurality of devices; and establish a connection between the second one of the plurality of devices and the common accessory responsive to the received input change signal based on the highlighted second output indicia (Cannon; paragraphs 33, 37, 40, 46, Diaz; column 3 lines 16-31).

Consider **claim 69 and as applied to claim 67**. Cannon and Diaz disclose wherein the selection device is remote from the common accessory and the one of the plurality of devices (Canon; paragraph 31).

Consider **claim 70 and as applied to claim 67**. Cannon and Diaz disclose wherein the selection device is remote from the common accessory and the one of the plurality of devices (paragraph 31).

Consider **claim 71 and as applied to claim 67**. Cannon and Diaz disclose a storage device configured to store an identity of the one of the plurality of devices with connection parameters for the one of the plurality of devices and with control data for outputting the first output indicia of the one of the plurality of devices (Cannon; paragraphs 40, 46).

Consider **claim 72 and as applied to claim 67**. Cannon and Diaz disclose wherein the common accessory is further configured to reconnect to the one of the plurality of devices after the established connection has been interrupted based on a predetermined order of priority (Cannon; paragraphs 33, 37, 40, 46, Diaz; column 3 lines 16-31).

Consider **claim 73 and as applied to claim 67**. Cannon and Diaz disclose wherein the first output indicia associated with the one of the plurality of devices to be highlighted at the

common accessory is stored in the one of the plurality of device and communicated to the common accessory (Cannon; paragraphs 40, 46, Diaz; column 3 lines 16-31).

Consider **claim 74 and as applied to claim 67**. Cannon and Diaz disclose a storage device configured to store a predetermined order of priority for each of the plurality of devices for establishing connections to the common accessory (Cannon; paragraphs 33, 37).

Consider **claim 84 and as applied to claim 67**. Cannon and Diaz disclose wherein the first output indicia is coloured light (R,G,B,Y).

Consider **claim 85 and as applied to claim 84**. Cannon and Diaz disclose wherein the coloured light (R,G,B,Y) is provided by means of a light emitting diode (LED) (Diaz, column 3 lines 16-31) (Diaz, abstract, column 3 lines 16-31).

**Claims 55-62, 75-83** are rejected under 35 USC 103(a) as being unpatentable over **Cannon et al. (US PG PUB 2003/0032460 A1, hereinafter Cannon)** in view of **Diaz et al. (US Patent 6,675,006 B1, hereinafter Diaz)** and further in view of **Kinnunen (US PG PUB 2002/0173347 A1)**.

Consider **claim 55 and as applied to claim 54 (and similarly applied to claim 75)**. Cannon and Diaz disclose the claimed invention but fail to explicitly teach wherein the predetermined order of priority is based on a last selected first to use scheme.

However, Kinnunen discloses wherein the predetermined order of priority is based on a last selected first to use scheme (paragraphs 33, 37, 38, read as the hands-free device now considers the daughter's mobile telephone to be the last user rather than the mother's mobile telephone. In addition, the hands-free device will be connected to the mobile telephone of the user who is designated the last user).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the teachings of Kinnunen into the invention of Cannon and Diaz so that the user to last use the hands-free device (possibly the most frequent user) and does not have to be inconvenienced by entering the required information to the user hands-free device (paragraph 38).

Consider **claim 56 and as applied to claim 55 (and similarly applied to claim 76)**. The combination of Cannon, Diaz, and Kinnunen disclose wherein a record of a last time selected is stored linked to each of the plurality of devices.

Consider **claim 57 and as applied to claim 56 (and similarly applied to claim 77)**. Cannon, Diaz, and Kinnunen disclose outputting an output indicia of a device that was last connected to the common accessory responsive to an interruption of the established connection; and establishing a connection between the device that was last connected and the common accessory responsive to the output indicia (Cannon; paragraphs 40, 46, Diaz; abstract, column 3 lines 16-31).

Consider **claim 58 and as applied to claim 57 (and similarly applied to claim 78)**. Cannon, Diaz, and Kinnunen disclose receiving an input change signal at the common accessory; outputting an output indicia of a next device that was last connected to the common accessory responsive to the received input change signal; and establishing a connection between the next device that was last connected and the common accessory responsive to the output indicia (Cannon; paragraphs 40, 46, Diaz column 3 lines 16-31, Kinnunen; paragraphs 17, 27, 35, 37, 38).

**Consider claim 59 and as applied to claim 47 (and similarly applied to claim 79).**

Cannon and Diaz disclose the claimed invention but fail to explicitly teach storing a predetermined order of priority for establishing connection to the common accessory for each of the plurality of devices, the order of priority being based on an individual fixed priority that is associated with each of the plurality of devices.

However, Kinnunen discloses storing a predetermined order of priority for establishing connection to the common accessory for each of the plurality of devices, the order of priority being based on an individual fixed priority that is associated with each of the plurality of devices (paragraphs 33, 35, 37, 38, read as the junction box 100 pages user/mobile telephones in a particular order based on the various data that was stored. The junction box 100 first pages a default. User and then the last user/mobile telephone that was designated the last user).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the teachings of Kinnunen into the invention of Cannon and Diaz so that the user to last use the hands-free device (possibly the most frequent user) and does not have to be inconvenienced by entering the required information to the user hands-free device (paragraph 38).

**Consider claim 60 and as applied to claim 59 (and similarly applied to claim 80).** The combination of Cannon, Diaz, and Kinnunen disclose wherein a record of a fixed priority is stored linked to each of the plurality of devices.

**Consider claim 61 and as applied to claim 60 (and similarly applied to claim 81).**

Cannon, Diaz, and Kinnunen disclose outputting an output indicia of a device having a highest fixed priority responsive to an interruption of the established connection; and establishing a

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connection between the device having the highest fixed priority and the common accessory responsive to the output indicia (Cannon; paragraphs 40, 46, Diaz; abstract, column 3 lines 16-31).

**Consider claim 62 and as applied to claim 61 (and similarly applied to claim 82).**

Cannon, Diaz, and Kinnunen disclose receiving an input change signal; outputting an output indicia associated with a next device having a next highest fixed priority responsive to the received input change signal; and establishing a connection between the device having the next highest fixed priority and the common accessory responsive to the output indicia (Cannon; paragraphs 40, 46, Diaz column 3 lines 16-31, Kinnunen; paragraphs 17, 27, 35, 37, 38).

**Consider claim 83 and as applied to claim 82.** Cannon, Diaz, and Kinnunen disclose wherein the first output indicia associated with the one of the plurality of devices is selectable responsive to a predetermined sequence of input control signals (Cannon; paragraphs 40, 46, Diaz column 3 lines 16-31, Kinnunen; paragraphs 17, 27, 35, 37, 38).

### *Conclusion*

Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

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**Hand-delivered responses** should be brought to

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher M. Brandt whose telephone number is (571) 270-1098. The examiner can normally be reached on 7:30a.m. to 5p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on (571) 272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.



Christopher M. Brandt

C.M.B./cmb

October 11, 2007



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